

REMARKS

Claims 1-19 are pending. Claims 1-13 and 15-19 are withdrawn as being drawn to a non-elected invention, although reconsideration of the restriction with respect to claims 10 (Group V) and 16 (Group XI) is respectfully requested (see below). Claim 14 is amended to add the language "at least" 85% homology. The amendment is supported, for example, at page 16, line 21 and at page 17, lines 14-23; the amendment adds no new matter.

In response to the Restriction Requirement dated May 16, 2006, Applicants elect **Group IX, Claim 14** for prosecution on the merits, with traverse.

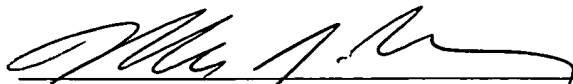
Applicants traverse the Restriction on the grounds that there is sufficient overlap in the material recited in claims 14 (Group IX), 10 (Group V) and 16 (Group XI) that it would not pose an undue burden to search them in the same application. More specifically, claim 14 is drawn to an intracellularly binding immunoglobulin molecule comprising: a variable heavy chain which exhibits at least 85% homology to the consensus sequence SEQ ID NO: 3; and a variable light chain, while claim 10 recites an intracellularly binding immunoglobulin molecule comprising a variable chain which is described by a consensus sequence selected from SEQ ID NO 41 and SEQ ID NO: 42, and claim 16 recites "a library wherein the library is generated using any one or more of the variable heavy domain amino acid sequences (VH) selected from the group consisting of: a VH amino acid a VH amino acid sequence showing at least 85% identity with the consensus sequence SEQ ID NO: 3 and a VH sequence according to SEQ ID NO: 41." Applicants note that consensus SEQ ID NO: 3 represents a species of the consensus sequence represented by SEQ ID NO: 41. Thus, a search encompassing species of SEQ ID NO: 3 will necessarily overlap with a search encompassing species of SEQ ID NO: 41. Given the overlap in these limitations, Applicants submit that it does not pose an undue search burden to search and examine the claims of Groups IX, XI and V in the same application. Reconsideration of the restriction between these groups is respectfully requested. In the event that Group V is re-joined for examination, Applicants elect, with traverse, the species SEQ ID NO: 41 to satisfy the species requirement raised with respect to that Group (claim 10).

A petition for Three (3) Months' extension of time and authorization to charge the necessary fee to Deposit Account No. 04-1105 is enclosed. However, should any additional fees

be required to ensure consideration of this response, the Commissioner is authorized to charge
Deposit Account 04-1105, Reference No. 218396/2272.

Respectfully submitted,

Date: September 18, 2006



Name: Mark J. FitzGerald

Registration No.: 45,928

Customer No.: 29933

Edwards Angell Palmer & Dodge LLP

P.O. Box 55874

Boston, MA 02205

Tel: 617-239-0100